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5 **IN THE UNITED STATES DISTRICT COURT**
6 **FOR THE EASTERN DISTRICT OF WASHINGTON**

7 LAWRENCE E. DIXON,

8 Plaintiff,

9 v.

10 DR. MUHAMMAD E. ZEEM,
11 LEW. STERRETT JAIL, LEW.
12 STERRETT COUNTY MEDICAL
DEPARTMENT and THE CITY OF
DALLAS TEXAS,

13 Defendants.

NO: 2:15-cv-00167-JPH

REPORT AND RECOMMENDATION
TO TRANSFER CASE TO
NORTHERN DISTRICT OF TEXAS

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15 BEFORE THE COURT is the Plaintiff's *pro se* civil rights complaint
16 pursuant to 42 U.S.C. § 1983. Plaintiff, a prisoner in Rusk, Texas, seeks leave
17 to proceed *in forma pauperis*. This is Plaintiff's second civil rights complaint
18 submitted to this Court raising similar issues. *See* 2:13-CV-00423 -TOR.

19 Because it appears that Mr. Lawrence's claims arose in the Northern
20 District of Texas, and the addresses of all the named Defendants are in the

REPORT AND RECOMMENDATION TO TRANSFER CASE TO NORTHERN
DISTRICT OF TEXAS -- 1

1 Northern District of Texas, **IT IS RECOMMENDED** that this case be
2 **TRANSFERRED** to the United States Court for the Northern District of Texas
3 pursuant to 28 U.S.C. § 1391 and 28 U.S.C. § 1406. This Court has made no
4 determination regarding Plaintiff's application to proceed *in forma pauperis*.

5 **OBJECTIONS**

6 Any party may object to a magistrate judge's proposed findings,
7 recommendations or report within fourteen (14) days following service with a
8 copy thereof. Such party shall file written objections with the Clerk of the
9 Court and serve objections on all parties, specifically identifying the portions to
10 which objection is being made, and the basis therefor. Any response to the
11 objection shall be filed within fourteen (14) days after receipt of the objection.
12 Attention is directed to Fed. R. Civ. P. 6(e), which adds additional time after
13 certain kinds of service.

14 A district judge will make a de novo determination of those portions to
15 which objection is made and may accept, reject, or modify the magistrate
16 judge's determination. The judge need not conduct a new hearing or hear
17 arguments and may consider the magistrate judge's record and make an
18 independent determination thereon. The judge may, but is not required to,
19 accept or consider additional evidence, or may recommit the matter to the
20 magistrate judge with instructions. *United States v. Howell*, 231 F.3d 615, 621

1 (9th Cir. 2000); 28 U.S.C. § 636(b)(1)(B) and (C), Fed. R. Civ. P. 72; LMR 4,
2 Local Rules for the Eastern District of Washington.

3 A magistrate judge's recommendation cannot be appealed to a court of
4 appeals; only the district judge's order or judgment can be appealed.

5 **IT IS SO RECOMMENDED.** The District Court Executive is directed
6 to enter this Report and Recommendation, forward a copy to Plaintiff and SET
7 A CASE MANAGEMENT DEADLINE ACCORDINGLY.

8 DATED July 8, 2015.

9 s/ James P. Hutton

10 James P. Hutton

11 United States Magistrate Judge
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